

AGENDA MEMO

CITY COUNCIL MEETING OF: DECEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-36147 - APPLICANT: BIG LEAGUE DREAMS LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a Liquor Establishment (Tavern) use.
2. Conformance to the conditions for Site Development Plan Review (SDR-17259).
3. A Waiver of the minimum distance separation requirements to allow a distance separation of zero feet from a City Park, 100 feet from a similar use and a religious facility, and 400 feet from a school where 1500 feet is the minimum distance required.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing a 12,664 square-foot Liquor Establishment (Tavern) within Freedom Park at 3151 East Washington Avenue. There are a total of two buildings on the subject site that will serve alcohol. Each building is 6,332 square feet. The applicant fails to comply with minimum distance separation requirements and Waivers of these separation requirements have been requested. The proposed Liquor Establishment (Tavern) is appropriate on the subject site, since the facility is regulated by the City of Las Vegas and alcohol will be served in conjunction with civic events and other events permitted by the approved Maintenance and Operations Agreement. Therefore, approval of the request is recommended. If denied, the sale of alcohol would not be permitted on the subject site.

Issues:

- Waivers of minimum distance separation requirement are requested from a similar use, City Park, a School and a Religious facility.
- Each 6,332 square-foot building will accommodate approximately 200 people.
- The Liquor Establishment (Tavern) use is appropriate as it will be regulated by the City and local agencies.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
A change of ownership has not occurred on the subject site.	
06/24/04	The Planning Commission approved a Site Development Plan Review (SDR-4453) for a Community Park Swimming Pool on 69.11 acres at the southwest corner of Pecos Road and Washington Avenue. Staff recommended approval of the request.
12/20/06	The City Council approved a Site Development Plan Review (SDR-17259) for a renovation of a City Park on a portion of 68 acres at 850 North Mojave Road. The Planning Commission and staff recommended approval of the request.
01/10/08	Planning and Development approved an administrative Site Development Plan Review (SDR-25895) to allow a replacement of antennas on an existing 60-foot tall light pole at 850 North Mojave Road.
11/05/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #48/bts).
<i>Related Building Permits/Business Licenses</i>	
02/05/09	A Building Permit (#132932) was issued for a 70-foot safety fence at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#124851) was issued for a multi-purpose building at 3151 East Washington Avenue. The permit has not been finalized.

02/10/09	A Building Permit (#132889) was issued for a stadium (Yankee) at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132890) was issued for a stadium (Fenway) at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132891) was issued for a stadium (Wrigley) at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132892) was issued for a stadium (Dodger) at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132893) was issued for a stadium (Angel) at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132894) was issued for a stadium (Crosley) at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132903) was issued for a baseball monument at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#124859) was issued for an administration building at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#124860) was issued for a stadium club restaurant at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#124861) was issued for a stadium club restaurant at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#124862) was issued for a maintenance building at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132898) was issued for batting cages at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132901) was issued for stadium seating at 3151 East Washington Avenue. The permit has not been finalized.
02/10/09	A Building Permit (#132902) was issued for monuments and plaques at 3151 East Washington Avenue. The permit has not been finalized.
<i>Pre-Application Meeting</i>	
08/26/09	<p>A pre-application meeting was held on the indicated date. The following items were noted:</p> <ul style="list-style-type: none"> Proposed Tavern requires a Special Use Permit. Waivers are required from a similar use and protected uses.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
10/01/09	<p>A field check was completed on the indicated date. The following items were noted:</p> <ul style="list-style-type: none"> The redevelopment of a public park and the new baseball facilities and related buildings.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	68.05 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	City Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
North	Single-Family Homes/Apartments /Retail	L (Low Density Residential)/M (Medium Density Residential)/SC (Service Commercial)	R-1 (Single Family Residential)/R-3 (Medium Density Residential)/C-1 (Limited Commercial)
South	Clark County Detention Center and City of Las Vegas Maintenance and Storage	PF (Public Facilities)	C-V (Civic)
East	Condominiums and Undeveloped	SC (Service Commercial)/ML (Medium Low Density Residential)/L (Low Density Residential)	R-1 (Single Family Residential)/R-PD12 (Residential Planned Development – 12 Units per Acre)/C-1 (Limited Commercial)
West	Metro Training Center and Boys Town	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
C-V Civic District	X		Y
Trails (Pedestrian Path)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Community Recreational Facility, Public	12,664 SF	1 Space / 200 SF GFA	64	3	1,107	42	Y
TOTAL	12,664 SF		67		1,149		Y

Waivers		
Requirement	Request	Staff Recommendation
No Liquor Establishment (Tavern) shall be located within 1,500 feet of any other Liquor Establishment (Tavern), Church, Synagogue, School, Child Care Facility licensed for more than 12 children or City Park	To allow a distance separation of zero feet from a City Park, 100 feet from a Liquor Establishment (Tavern) and a Religious Facility and 400 feet from a School	Approval

ANALYSIS

The applicant is proposing a Liquor Establishment (Tavern) as a part of the renovation of Freedom Park at 3151 East Washington Avenue. The City Park remodel was approved by City Council on 12/20/06 and is currently under construction. The applicant is intending to serve alcoholic beverages during various functions within Freedom Park in two buildings indicated on the site plan at 6,332 square feet each. The applicant is requesting Waivers to allow a distance separation of 100 feet from a Liquor Establishment (Tavern) and a Religious Facility, and 400 feet from a School where 1500 feet is the minimum required. The proposed Liquor Establishment (Tavern) is appropriate on the subject site, since the facility is regulated by the City of Las Vegas and alcohol will be served in conjunction with civic events and other events permitted by the approved Maintenance and Operations Agreement; therefore approval of the subject Special Use Permit is recommended.

The following table indicates the operating hours for the proposed Liquor Establishment (Tavern):

Day	Opening Time	Closing Time
Monday	4:00 PM	1:30 AM
Tuesday	4:00 PM	1:30 AM
Wednesday	4:00 PM	1:30 AM
Thursday	4:00 PM	1:30 AM
Friday	4:00 PM	2:00 AM
Saturday and Three Day Holiday Weekend Sunday	8:00 PM	2:00 AM
Sunday and Three Day Holiday Weekend Mondays	8:00 PM	1:30 AM

FINDINGS

The following findings must be made for a Special Use Permit:

- 1. “The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Liquor Establishment (Tavern) is compatible with the PR-OS (Parks/Recreation/Open Space) land use designation and surrounding uses in the area.

- 2. “The subject site is physically suitable for the type and intensity of land use proposed.”**

The proposed Liquor Establishment (Tavern) use will be located within a City Park. This site is physically suitable for the type and intensity of the land use proposed.

- 3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Access to the site is provided from Washington Avenue, Pecos Road and Mojave Road, which are all 100-foot Primary Arterials as indicated on the Master Plan of Streets and Highways. They are adequate to facilitate the traffic generated by the proposed Liquor Establishment (Tavern) use.

- 4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this Special Use Permit will not compromise the public health, safety, or welfare as the proposed Liquor Establishment (Tavern) use will be subject to regular inspections.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed Liquor Establishment (Tavern) use fails to meet all requirements pursuant to Title 19.04. Staff recommends approval of the request for a Waiver of distance separation requirements. The intended use at this location is appropriate as alcohol is to be served in conjunction with baseball games and other civic events. The use will also be regulated by City and local agencies.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

NOTICES MAILED

1049 by City Clerk

APPROVALS

1

PROTESTS

3